MACKAY CHARGES

WIFE BY PHONE CALLS' LEITER LOSES IN "POOL" FIGHT. MRS. BLAKE DROPS FITZPATRICK TO HER

Sends Message From Brooklyn After Week's Mysterious Absence.

TELLS STRANGE

Wandered Sleeplessly and Found Shelter in Old Home.

Frank J. E. Fitzpatrick, superintendent of the banking firm of L. F. Dommerich Company, who had been hunting for his Alice, who disappeared from her home, 220 West Ninety-eighth street, a week ago yesterday, was called to the one at 8 o'clock last night.

"Hello, Frank." said a voice that Mr. Fitzpatrick could not believe to be of this

"Who is this?" the banker cried. "This is Alice," the voice answered, "and I am all right.

"Thank God," said Mr. Fitzpatrick. Then he eagerly inquired where his wife was. He found that she was tele phoning from a restaurant at Sixth avenue and St. Mark's place, Brooklyn. He gave directions for her to wait where she was and hurried to her.

Mrs. Fitzpatrick was greatly emaclated When her husband reached her she could give no comprehensive idea of where she been or what she had done. She than \$1 when she went away. had not slept nor had she eaten since she walked away from her apartment. Her clothes were clean and she evidently had made it a point to keep herself neat. Her shoes were not worn, though she have wandered many miles.

Twice Tried Suicide.

Mrs. Fitzpatrick has suffered from neryous trouble for several months. She has been in a sanitarium, but preferred to be ne with her husband, who yielded to entreaties and took her from the burses. She twice tried to take her life day evening until March. and recently had a companion who looked

On Monday afternoon a week ago she went out of the apartment, saying she was going to order some rolls for breakfast. She did not return by 6 o'clock and her husband then started a search. He called private detectives and the Police Depart-ment, but the hunt was in vain. Mean-time Mrs. Fitzpatrick was wandering about New York by day, according to her

Not a clue was found by searchers until band. Mr. Fitzpatrick learned that Mrs. Fitzpatrick had been recognized by a Dr. J. S. Quinlan of Brooklyn, who had telephoned to A. L. Fitzpatrick of 33t East Seventeenth street, a brother of the husband. He hurried to the restaurant where Mrs. Fitzpatrick was then telephoning and remained with her till her husband arrived.

When the hust.

husband arrived.

When the husband got his wife's mes-When the husband got his wife's mes-sage he took a subway train to Borough first time before the Congress of Ameri-Hall, Brooklyn, where he got a taxical can Ornithologists, now meeting here and went to the restaurant. His wife Capt. Kleinschmidt was accompanied was so weak she could scarcely stand when she greeted him. She was hurried

Wife Tells Story of Week. "It seems like a month since I went

she whispered to her husband. have not eaten and I have not slept i don't know where I went or what I did. "You know, dear, I felt sorry that I had asked you to give up our beautiful home of Vincent Astor, came to New York yes in Flatbush, and after a while I went terday from Hopeland House and reback there. I did not sleep, I just wandered up and down, thinking of you and being passed in one of the studios, where

of our children. Once in a while I sat she had many photographs taken. The down on a packing box, but I could not she returned to Staatsburg, where she wi Mr. Fitzpatrick said he had men packing early part of the winter

up goods in the house in Filmore piace on election day, but that the men had found no trace of Mrs. Fitzpatrick in the house. He had caused the house to be searched from top to bottom. Mrs. Fitzpatrick had staatsburg, where Miss Huntington's key and could enter at will.

Mrs. Fitzpatrick was so weak that her husband did not question her. Her mind

apparently had been a blank much of the time. She was put to bed and Dr. Mc-kenzle, who lives in the same house, was Guest of Honor at Luncheon Given

de Sola Gives Up Hope From Police and Advertises. Mrs. Candelania de Sola, widow o

Ars. Candelania de Sola, widow of a Cuban sugar planter, whose home, at 1079 Sterling place, Brooklyn, was robbed of jewelry and silverware valued at \$2,500 on October 23, has despaired of getting back her property through the police and private detectives, and has offered a reward for its return.

The stolen articles included a broader

The stolen articles included a bracelet of antique pearl, an opal and diamond sapphire hairpins, a gold watch, a pair of opal eardrops and pleces of Tiffany and Gorham silver.

No servants were employed in the house at the time, but one who was discharged.

at the time, but one who was discharged three months ago is suspected by the family.

CAMPAIGN LETTER COSTS JOB.

CAMPAIGN LETTER COSTS JOB.

Prendergast Demotes Writer of Attack on Fusion Ticket.

It became known yesterday that the last official action taken by Comptroller last Saturday was to transfer Frank J. Prendergast before he sailed for Europe last Saturday was to transfer Frank J. Prial, examiner in charge of the bureau of claims in the Finance Department at \$5,000 a year, to the office of examiner in the bureau of municipal investigation and statistics at \$2,400 a year.

Louis F. Georger, who was at the head of C. F. Gunther's Sons when the further who was at the head of C. F.

and statistics at \$2,400 a year.

It was recalled that a letter signed by Mr. Prial as president of the New York (Civil Service Society and circulated among civil service employees was used as campaign material against the candidacy of Comptroller Prendergast and the other men heading the fusion ticket.

Mass Alene York Stewart Haworth. Stewart Haworth. William Arbuthnot Mrs. C. P. Stewart Haworth. Mrs. C. P. Stewart H

counsel as to whether or not he might prefer charges against Mr. Prial for insubordination.

LOVESICK YOUTH A SUICIDE,

Shoots Himself Because Girl's Father Kept Him Away.

PATERSON, N. J., Nov. 10.—Henry Mayer, 21 years old, of 461 Kent avenue, shot and killed himself on a street corner to whom he has been paying attention refused to allow him to call. The girl is Elizabeth Miller of Warren Point, Betgen County.

Mayer's brother insisted the boy was murdered, but the police and th

Jury Decides Against Illm in Suit of Former Stock Brokers,

After listening to evidence in the case After listening to evidence in the case for twenty-two court days a jury before Supreme Court Justice Kendrick returned a verdict-yesterday for the former Stock Exchange firm of Franklin, Scott & Co., against Joseph Leiter. The firm sued to have Leiter declared a partner in the pool in International Power stock, which was alleged to have been operated for the benefit of Leiter Court Field (or the benefit of Leiter Court Field).

"ALUMNÆ ATHLETICS" MEET.

Eighteen Colleges Are Represented

at Intercollegiate Gathering.

The Intercollegiate Alumna Athletics Association met for the first time in the

Thompson gymnasium last night. Eighteen colleges, among them Bryn Mawr. Smith, Vassar, Cornell, Brown, Wells, Wesleyan, Wellesley, Iowa State, Mount Holyoke.

Wellesley, lowa State, Mount Holyoke Goucher, Oberlin, Randolph, Northwest ern University and University of Wiscon

of 118 and a long waiting list.

"The purpose of the organization," said Miss Schoedler, who is a graduate of Barnard College, class of 1911, "is to

afford social and athletic recreation fo

the Thompson gymnasium for every Mon

The evening was spent in bowling swimming, dancing, and playing basket

On Saturday night there will be horse-back riding at Central Park West Acad-

HAS MOVIES OF FROZEN NORTH

Pictures at Ornithologist's Cougress

MISS HUNTINGTON IN TOWN.

Vincent Astor's Finners Spends Part

of Day Postng for Photographs.

nother was married in June, 1892.

HEMPSTEAD'S AUTO HITS CHILD.

at Time of Accident.

WILLS AND APPRAISALS.

An automobile belonging to Harry N

sin were represented.

Miss Schoedler reported a me

ball, handball and baseball.

pienics next spring.

which was alleged to have been operated for the benefit of Leiter, Cyrus Field Judson and Joseph H. Hoadley and which collapsed in 1902, leaving \$78,000 owing to the piaintiffs.

The case has been tried five times and has been to the Court of Appeals three times. The jury found for the piaintiff on the last trial, but Mr. Leiter contended that he was not a partner, although the plaintiff's books mentioned the "Joseph Leiter pool account" frequently. Mr. Leiter testified that this referred to another account than the one Was False. quently. Mr. Leiter testified that this referred to another account than the one on which the suit was based.

Mr. Leiter is on a yachting trip around the world and his testimony on the fourth Was False.

the world and his testimony on the fourth trial last year was read to the jury state present trial.

When the Appellate Division set aside the last verdict for the plaintiffs the court ordered a jury trial on the question as to whether letter was a partner of Hoadley and Judson, and this is the nidding made by the jury yesterday.

Since the case first went to trial in 1905 it has occupied more time of trial Judges and jurors and appellant courts than any other action. The trials alone consumed nearly 109 court days. fections of Dr. Joseph A. Biake, the noted

than any other action. The trials alone consumed nearly 100 court days. Edmund L Mooney trial counsel for the plaintiff, estimated yesterday that the ration suit against her husband, which has been up in the Supreme Court five piaintiff, estimated yesterday that the time adjourned, is also in a fair way to be adjusted out of court, but confirmation of this could not be had from the attorneys the case. A statement of the settlement of the

> attorney, Arthur C. Train, who made this brief announcement: The action commenced in the Suprem

uit against Mrs. Mackay came from he

The action commenced in the Supreme Court by Mrs. Joseph A. Blake for \$1,000.000 for allenating the affections of Dr. Blake was discontinued to-day. At the time Mrs. Blake signed a consent to the discontinuance of this action she executed an instrument releasing Mrs. Mackay from all claims of every descrip-

from and character.
"Not one cent has been paid or promised to Mrs. Blake either by Mrs. Mackay or by any one acting for her or on or in her behalf for the discontinuance of the lawsuit or the execution of the release." O'Gorman, Battle & Vandiver, attorneys

or Mrs. Blake, confirmed the report of he settlement of the suit, but denied that in agreement had been reached to dror he separation suit against Dr. Blake. Cornelius J. Sullivan of Nicoli, Anable Lindsay & Fuller, counsel for Dr. Blake aid. "The action against our client is in involved in the alienation suit

Mr. Sullivan couldn't say whether th notion for alimony will be argued when it omes up on Friday.

Kept Secret Seven Months.

The papers in the suit against Mrs ackay were served last March, but did Mackay were served last March, but did not become public until last month, after the separation suit had been filed. It was charged that by lures and wiles Mrs. Mackay enticed Dr. Blake away from his wife three years ago and kept him from returning to his wife. Mrs. Blake charged that she had been damaged be-

of all the charges against het. She said that Mrs. Blake always had a jealous disposition and ungovernable temper. Mrs. Blake, she said, had sought for eight years to injure her by spreading among his patients, relatives and friends unjust omen and had constantly stated that she hated and despised him. Mrs. Mackay added that Dr. Blake and his wife have lived apart for nine years by mutual con-

In her petition for alimony Mrs. Blake alleged that her husband has an income of between \$75,000 and \$100,000. She said that the family had lived at the rate of \$40,000 a year and asked allmony of

WANT BINGHAM TO RULE POLICE pass the remainder of the autumn and the

Kenzie, who lives in the same house, was called to attend her. The doctor gave her a soothing potion and she soon fell asleep.

The Fitzpatricks have two children who are in St. Elizabeth's Convent, at Convent Station, N. J.

Mr. Fitzpatrick went to the convent yesterday afternoon to comfort the children, who were grieving about their mother. He had just returned when he got the message from his wife.

After he had taken his wife home he sent a message to his daughter Azilda eaying: "Mother is found. She is not dead. Dad."

REWARD FOR STOLEN JEWEIS.

Kinst of Honor at Luncheon Given his uncheon in the norm of the Abbot Gisque de Rome, Hang, who is here on a visit. Her other guests included Cardinal Farley, Mgr. Lavelle, Mgr. Hayes, the Very Rev. D. G. Fitzgerald, the Rev. Robert J. Burke, Mrs. Henry Waters Taft, Miss Leary, Mrs. John Beverly Duer, Mrs. T. C. T. Crain, Mrs. Morgan J. O'Brien, Mrs. A. I. Jewell, Miss Ada caying: "Mother is found. She is not dead. Dad."

REWARD FOR STOLEN JEWEIS.

said, told the fusionists that, in his opin-ion, the removal of Gen. Bingham without a trial was in violation of his consti tional rights. He was s missed for insubordination.

Friends of Gen. Bingham say he does not want the job for four years, that he is willing to rule the police long enough An automobile belonging to Harry N. Hempstead of 375 Park avenue, president of the New York Baseball Club, ran over Julia Powers. 15 years old, of 75 West Fifty-first street, at Sixth avenue and Fifty-second street early last night.

Oscar Williams, a chauffeur, of 337 West Thirty-fifth street, was driving the car. Mr. Hempstead was not in it.

Patrolman Lenihan of the East Fifty-first street station took the girl to the Flower Hospital in the automobile. She was suffering from severe contusions of the

was suffering from severe contusions of the head and body and probable internal in-juries. No arrest was made.

THE SEAGOERS.

Departures for Europe and Arrivals

Wilhelm der Grosse for Plymouth, Cher-

By the Holland-America liner Noordam

for Boulogne and Rotterdam:

From Cristobal by the Panama Rail-Secretary of War Garrison.
Mrs. Garrison.
Gen. E. M. Weaver.
William Pedigo.
Wallow
Major W. C. ChamberLieut. W. J. Fitzmau Elizabeth Miller of Warren Point, Bergen county.

DR. ALEXIS MARCY LEON, who died on November 2, left one-third of his estate to his wife, Irene B. Leon of 79 East to his wife, Irene B. Leon of 79 East Pifty-sixth street, and upon her death it is to go to her six children.

Secretary of War Gar-Major Mrs. Garrison Gen. E. M. Weaver. Col. E. Mrs. Garrison Gen. E. M. Weaver. William Pediso. Major W. C. Chamber-lit is to go to her six children.

ditions shall be maintained on the various RAILROAD MEN roads in accordance with existing con-ditions unless modified by mutual sgree-Article M asks that unassigned freight crews held at other than their home ter-minals will be paid at the rate of ten miles

within ten hours, based on the follow ng rates: Conductors, 45 cents an hour baggagemen, 29 cents; flagmen or reas rakemen, 26 cents, and brakemen, 27 ents, with special provisions for over time for all other passenger trainmen. This article also demanded for regularly asfor service the entire month and do not lay off of their own accord the following minimum rates exclusive of overtime per month: Conductors, \$135; baggagem \$87; flagmen or year brakemen, \$84; rakemen, \$81.

The following overtime rates awarded instead of the rates in the first demand of this article: Conductors, 45 cents per bour; assistant conductors and Mrs. Clarence H. Mackay on the ground ! ticket collectors, 35.7 cents per hour; bag gagemen, 27.5 cents; flagmen and rear surgeon, had been settled out of court and Other passenger trainmen shall be paid for overtime on a speed basis of twenty miles an hour, computed continuously from the time required to report for duty until released at the end of the last run Overtime shall be computed on the basis of actual overtime worked or held for earnings of conductors and trainmen duty at these rates except under certain any class of service shall not be dim conditions given, when there would be no ished by the provisions of this award. f actual overtime worked or held fo vertime allowed. Regularly assigned assenger trainmen who are ready fo service the entire month and do not la ollowing rates per calendar month, exlusive of overtime: Conductors, \$135 rakemen, \$78; brakemen, \$76.50.

Article D asks that reductions in crew-Increases in mileage in passenger ser e from assignments in effect Novembe 1912, will not be made for the purpose f offsetting (or having the effect of offetting) these increases in wages.

othing in the award is understood to pre ent the adjustment or runs in shor te paid under minimum rules for the illeage or overtime that would accrue nder these rules without reducing the

Rates for Special Service.

Article E demands that the increase erein requested apply to all rates for of service not named herein as specified the individual schedule.

In the individual schedule.

The award provides the following rates of increase for all such special service: Passenger conductors, \$.2 per cent; baggagemen, 6.4 per cent; passenger flagmen or rear brakemen, 4.9 per cent; passenger brakemen, 6.7 per cent; through freight conductors, 10.1 per cent; through freight orakemen, 6.7 per cent.; inrough freight conductors, 10.1 per cent.; through freight brakemen, 10.3 per cent.; local freight trainmen, 11.1 per cent.; local freight flagmen, 7.1 per cent.; local freight flagmen, 7.1 per cent.; local freight brakemen, 11.1 per cent.; local freight brake

through and irregular service, the rates conductors and trainmen, the prevailing for runs of 100 miles or less, either opinion of the board was that it must take straightaway or turn around, to be paid the adjustment of 1910 as its starting for as 100 miles; Conductors, 4.18 cents point and could not be controlled in its per mile; flagmen, 2.88 cents per mile; findings by the argument, although it brakemen, 2.78 cents per mile.

The award grants the following rates

Article G asks for the following rates at Rochester, N. 7., October 15-19, 1912 for way freight, pick up or drop, mine and The awards affect 72,266 employees, or roustabout service: Conductors, 4.84 cents whom 18,393 are conductors and 53,363 or mile; flagmen, 2.31 cents per mile; are trainmen.

rakemen, 3.21 cents per mile for runs of if the demands had been granted on miles or less, either straightaway or full it would have increased the payrol

or less, ten hours or less to constitute a day's work, overtime to be paid as time and a half: Conductors, £4.50 per day; flagmen, \$3.10; brakemen, \$3.

The award in this case provides that the services specified in article H shall be paid for in accordance with the provisions of article F of the award and at the rate therein specified.

Overtime to Mine Work.

pusher and helper service, overtime be however, and on runs over 100 miles to be paid for at the rate of fifteen miles an hour.

BATT In the award in this case overtime is allowed to be paid for at the rate of ten Suggests Changes in Criminal Law miles an hour a day for the class of ser-vice performed.

reight service.

The award provides that the services to correct what he deemed defects in the

specified shall be paid for in accordance present procedure, with the provisions of article E of the "I believe," he award.

The award in this case is that con- safety.

140 Broadway

per hour at the through freight rate for time so held, the time to be computed from the time crews go off duty until See hour before the departure of the train on which they resume duty.

trainmen in pool freight and in unas-signed service held at other than home terminais will be paid continuous time for all time so held after the expiration of eighteen hours from the time relieved from previous duty, and will be paid on the same basis under other similar con-ditions which are named.

Unussigned Freight Crews.

Article N demands time and a half for overtime to crews handling double heade 1 trains of two engines, and in case more than two engines are used or if either or both of two engines be of the Mailet type double time for overtime. This request is denied in the award.

Article O asks for the Chicago standard rates of pay in all yards. The award provides that the rate paid in each yard for conductors and brake-men shall be increased one cent an hour. but in no case shall it exceed the Chicago rates existing at the date of this award Article P asks that upon roads having a better basis for a day's work of payment of overtime or other rates, the adoption of the foregoing rules in the demands shall not operate as a reduc-tion thereof.

In the award it is provided that the ments except as they are herein specifi-cally amended, is conceded in the award. The arbitration of these demands was the first under the Newlands amendment to the Erdman act. The members of the arbitration board were W. W. Atterbury, vice-president of the Pennsylvania Rail-road, and A. H. Smith, senior vice-presi-dent of the New York Central, representing the railroads. Lucius E. Sherpard, vice-president of the Order of Railway Conductors, and D. L. Cease, editor of the official organ of the Brotherhood of Raiload Trainmen, representing the trainmen and conductors, and Seth Low, chairman of the board, and Dr. John H. Finley, repesenting the public

Under the law a majority of the board ould render a decision and the award s not unanimous, A. H. Smith and W. Atterbury, the representatives of railroads, filing a dissenting opinion. In their minority report they say that ev dissent: "1. Because 'standardization' is chimeri

"2. Such increased cost of living as has

"3. Statistics prove that 'risk' has decreased; prove that risk has decreased; prove that hours of labor have decreased; the weight of evidence is that labor has not increased, and we cannot agree that it has been proved that anything so intangible as responsibility has

twards Affect 73.266 Men.

train service: Conductors, 4 cents per mile; flasmen, 2.67 cents per mile; brake-men, 2.67 cents per mile; brake-mile; flasmen between the flasmen of 100 miles or less are to be paid for as 100 miles or less are to be paid for as 100 miles. Order of Railway Conductors and Brotherhood of Railway Co

0,000 a year and would have mean The award provides for the following increases aggregating 15 per cent.

The arbitration hearings begon in the onductors, 450 cents per mile, flagmen.

Manhattan Hotel on September 11 and

In article I overtime is asked for on for the employees, said that the men did runs of 100 miles or less in all freight, not get as high wages in the award as

BATTLE DISCUSSES INSANE.

to Cure Defects.

Article J asks that the same rate of increase as has been demanded in through freight service shall be given in milk, the Society of Medical Jurisprudence at helper and other incidental classes of the Academy of Medicine last night, sug-

Article K proposes that in regularly as- persons, even though insane, who ha struction crews who are ready for ser- be convicted. If insanity is only particle the entire month and do not lay off tial they should still be convicted, but of their own accord the crews will be under a verdict stating that in the opin guaranteed not less than 100 miles or ten ion of the jury their power of self-re-straint was weakened by mental disease

hours for each working day, exclusive of overtime.

The award grants the demand in article K in substance, but provides that if by act of Providence it is impossible to perform regular service the guarantee does not apply.

In Article L it is demanded that deadheading in freight or passenger service is to be paid for at full rates for the class of service in which regularly engaged.

The award in this case is that constant was weakened by mental disease. Those whose power of self control had been practically destroyed should be acquitted."

He said that insane persons convicted of crime should be treated as criminals, but should be treated for mental disease. Those acquitted on the ground of insanity should be confined and should be discharged only upon proof of recovicians of insanity should be confined and should be discharged only upon proof of recovicians of insanity should be crime should be treated as criminals, but should be treated as criminals, but should be treated an erion of insanity should be confined and should be discharged only upon proof of recovicians of insanity and that insane persons convicted of crime should be treated as criminals, but should be treated as criminals, but should be treated an erion of insanity should be confined and should be discharged only upon proof of recovicians of insanity and that insane persons convicted of crime should be treated as criminals.

Budd

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\$9.50 to \$15.00.

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Leases now being made from May 1, 1915. The building, how. ever, is due to be completed 2 or 3 months ahead of this date.

Equitable Building

Temporary Office, 27 Pine Street

GOV. GLYNN BACKS UP WHITMAN, ods used in concealing the allege

tion in Graft Inquiry.

Distret Attorney Whitman returned from Albany last night with the assurances of Gov. Glynn and Attorney-Genny class of service shall not be dimin-ded by the provisions of this award.

Article Q, providing that nothing in the roposals or demands will be construed of campaign contributions that are al-or change existing schedules or agree-leged to have gone astray after they had been levied and collected from barge ally amended, is conceded in the award. Every bit of information that has been or will be laid before the Governor will be placed at the disposal of Mr. Whitman, and whenever in his in the purpose of the admitted of the strength of the purpose of the admitted of the purpose of the purpose of the admitted of the purpose of the purpose of the purpose of the admitted of the purpose of the admitted of the purpose of the purpos man, and whenever in his inquiry it appears that the graft trail leads outside his particular province the Attorney-General will step in to aid him. Mr. Whitman was assured that every District Attorneys handed to mean was assured to be supported by the with Mr. Hennessy, and the leads to mean was assured to be supported by the support of the support man was assured that every Districted to torney in the State would be instructed to envelopes and one small envelopes and one small envelopes and one small envelopes.

The hearings will be resumed ternoon before Chief Magistrate with George H. McGuire, John nessy and Eugene Wood as the

torney Whitman left for It is the purpose of the admi-

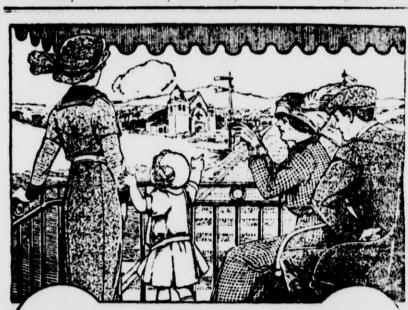
torney in the State would be instructed to give him assistance whenever possible.

Assistant District Attorneys Clark and Embree were busy in Albany and Syracuse yesterday. They have laid their hands on many official records that will be subjected to careful scrutiny. While the John Doe proceedings are concerned that the other large envelopes and one small envelopes and one small envelopes and one small envelopes and one small envelopes the told me that in one of the envelopes there was contained at the highways he had investigate the John Doe proceedings are concerned to the matter that he had a gainst the Canai Department. The principally with campaign contributions during the last three years the books of previous years will also be checked up with the idea of striking upon the methods.

B. Altman & Co.

are displaying, in the HOUSE GOWN DE-PARTMENT, a remarkably attractive novelty in a Smoking Costume for women. A long blouse of rich chiffon velvet, handsomely trimmed with embroidery and finished with gold buttoms, is combined with a skirt of brocaded silk in contrasting color, presenting a strikingly picturesque ensemble.

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572 Fifth Ave. Budd Building Sun, Saturday, November 29th.